

March 27, 2018 – REGULAR SESSION MINUTES

President Wollert called the meeting to order at 9:17 p.m.

The Clerk read the Invocation: Almighty God who holds the fate of Man and Nation, we most humbly beseech thee to bless these deliberations, and these thy servants, that they may act with wisdom and understanding for the good of our community and thy greater glory. Amen.

Flag Salute

Council President Wollert read the Open Public Meetings Statement:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 3rd day of January 2018.

THE PUBLIC WILL HAVE AN OPPORTUNITY TO ADDRESS THE COUNCIL DURING THE “STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC” SEGMENT OF THE MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO SIGN IN ON SHEET PROVIDED IN THE FRONT OF THE ROOM. ALL QUESTIONS AND COMMENTS FROM THE PUBLIC WILL BE DIRECTED TO THE COUNCIL PRESIDENT. WHEN ADDRESSING THE COUNCIL, PLEASE GIVE YOUR NAME AND YOUR ADDRESS.

THE COUNCIL INVITES AND ENCOURAGES PARTICIPATION BY THE PUBLIC IN ITS MEETINGS, HOWEVER A MEMBER OF THE PUBLIC MAY UTILIZE FIVE MINUTES OF TIME FOR REMARKS AND QUESTIONS, UNLESS OTHERWISE ENGAGED IN A DIALOGUE WITH A MEMBER OF THE COUNCIL, ANY FURTHER REMARKS OR QUESTIONS BEYOND THE TIME LIMIT MUST BE AUTHORIZED BY THE PRESIDENT OF THE COUNCIL.

ROLL CALL

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| ▪ Mr. Baxter – Present | Jim McManimon, Administrator |
| ▪ Ms. Keyes-Maloney – Present | Maeve Cannon, Attorney |
| ▪ Mr. Schroth – Present | Kim Macellaro, Municipal Clerk |
| ▪ Ms. Steward – Present | |
| ▪ President Wollert – Present | |

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no statements and comments from members of the Public.

BILLS LIST

1. The Clerk read (**Resolution #18R-73**) A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$6,768,457.89 and to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$3,563.95

Mr. Schroth moved the Resolution, seconded by Mr. Baxter. There were no questions or comments from Council or the Public. The Council President asked for a roll call.

ROLL CALL

- | | |
|-------------------|-----|
| Mr. Baxter | YES |
| Mr. Schroth | YES |
| Ms. Keyes-Maloney | YES |
| Ms. Steward | YES |
| President Wollert | YES |

The above referenced Bills List Resolution and the Bills List are available in the Clerk's Office in the 2018 Resolution Book Number One.

All items listed under Consent Agenda, are considered routine by the Township Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately. There will be one motion for all items listed.

CONSENT AGENDA

The Clerk read the Consent Agenda: (Resolution #18R-74/)

1. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$75.40 for overpayment of April 1, 2018 sewer bill to Jean Louis R. Jacques, Jr., 2436 Stuyvesant Avenue, Ewing, NJ 08618, for property owner Jean Louis R. Jacques, Jr. for Block: 339 Lot: 24 also known as 2436 Stuyvesant Avenue for overpayment.
2. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$4,603.60 for overpayment of April 1, 2018 sewer bill to Upland Realty, 1000 New Jersey Avenue #1106, Washington, DC 20003, for property owner Upland Realty for Block: 180 Lot: 257 also known as 200 Upland Avenue for overpayment.

Ms. Steward moved the Resolution, seconded by Mr. Schroth. There were no questions or comments from Council or the Public. President Wollert asked for a roll call.

ROLL CALL

Mr. Schroth	YES
Ms. Steward	YES
Mr. Baxter	YES
Ms. Keyes-Maloney	YES
President Wollert	YES

The above referenced Consent Agenda Resolutions are available in the Clerk's Office in the 2018 Resolution Book Number One.

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. The Clerk read (Ordinance #18-06) AN ORDINANCE OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, NEW JERSEY APPROVING APPLICATION FOR FINANCIAL AGREEMENT

President Wollert said that this is the housing on Parkside Avenue.

Ms. Steward moved the Ordinance, seconded by Mr. Schroth. There were no questions or comments from Council or the Public. The Council President asked for a roll call.

ROLL CALL

Mr. Schroth	YES
Ms. Steward	YES
Mr. Baxter	YES
Ms. Keyes-Maloney	YES
President Wollert	YES

ORDINANCE(S) FOR SECOND READING, PUBLIC HEARING AND FINAL ADOPTION

1. The Clerk read (Ordinance #18-05) AN ORDINANCE FOR THE CALENDAR YEAR 2018 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

President Wollert said that this is standard.

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township of the Ewing in the County of Mercer finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 396,250.37 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget, shall be retained as an exception to final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the township of Ewing in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Ewing shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$1,386,876.28 and that the CY 2018 municipal budget for the Township of Ewing be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

STATEMENT

This Ordinance to permit an increase in the Municipal Budget to 3.5% over the previous year's final in cap appropriations and to establish a CAP bank in accordance with law.

Mr. Schroth made a motion to open the Public Hearing, seconded by Ms. Steward. It was agreed by unanimous voice vote. There were no questions or comments from the Public. Ms. Keyes-Maloney made a motion to close the Public Hearing, seconded by Mr. Baxter. It was agreed by unanimous voice vote. Mr. Schroth then moved the Ordinance, seconded by Mr. Baxter. There were no questions or comments from Council. President Wollert asked for a roll call.

ROLL CALL

Mr. Baxter	YES
Mr. Schroth	YES
Ms. Keyes-Maloney	YES
Ms. Steward	YES
President Wollert	YES

NEW BUSINESS

- 1. The Clerk read (Resolution #18R-75) A RESOLUTION ENDORSING THE 2018 HOUSING ELEMENT AND FAIR SHARE PLAN**

Mr. Baxter moved the Resolution, seconded by Ms. Keyes-Maloney.

Councilwoman Steward stated that she will be abstaining as she is affiliated with an agency involved with low-income housing within Ewing Township. There were no additional questions or comments from Council. There were no questions or comments from the Public. President Wollert asked for a roll call.

ROLL CALL

Ms. Keyes-Maloney	YES	
Mr. Baxter	YES	
Mr. Schroth	YES	
Ms. Steward		ABSTAIN
President Wollert	YES	

2. The Clerk read (Resolution #18R-76) A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO EXECUTE THE FIRST AMENDMENT TO SETTLEMENT AGREEMENT FOR IN THE MATTER OF THE APPLICATION OF THE TOWNSHIP OF EWING, DOCKET NO. MER-L-1556-15

Ms. Keyes-Maloney moved the Resolution, seconded by Mr. Schroth. There were no questions or comments from Council or the Public. The Council President asked for a roll call.

ROLL CALL

Mr. Schroth	YES	
Ms. Keyes-Maloney	YES	
Mr. Baxter	YES	
Ms. Steward		ABSTAIN
President Wollert	YES	

3. The Clerk read (Resolution #18R-77) A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF EWING AND MERCER COUNTY FOR THE PROVISION OF A PUBLIC HEALTH OFFICER TO OVERSEE THE FUNCTIONS OF THE TOWNSHIP'S PUBLIC HEALTH OFFICE

Ms. Keyes-Maloney moved the Resolution, seconded by Mr. Schroth. There were no questions or comments from Council or the Public. President Wollert called for a roll call.

ROLL CALL

Mr. Schroth	YES	
Ms. Keyes-Maloney	YES	
Mr. Baxter	YES	
Ms. Steward	YES	
President Wollert	YES	

4. The Clerk read (Resolution #18R-78) A RESOLUTION AWARDDING A CONTRACT TO MANAGE, OPERATE AND MAINTAIN TWO (2) PUBLIC SWIMMING POOLS LOCATED IN THE TOWNSHIP OF EWING FOR THE 2018 SUMMER SWIM SEASON FOR AN AMOUNT NOT TO EXCEED \$109,100.00 TO SPARKLING POOL SERVICES, INC.

President Wollert said that this contract will allow us to operate two pools – one at Hollowbrook and one at the ESCC.

Ms. Steward moved the Resolution, seconded by Ms. Keyes-Maloney.

Councilman Baxter asked when does this contract go into effect.

The Attorney replied – immediately.

There were no additional questions or comments from Council. There were no questions or comments from the Public. President Wollert asked for a roll call.

ROLL CALL

Ms. Keyes-Maloney	YES	
Ms. Steward	YES	
Mr. Baxter		ABSTAIN
President Wollert	YES	
Mr. Schroth	YES	

Councilman Baxter commented that he is waiting for the 2016 numbers from the CFO.

5. The Clerk read (Resolution #18R-79) A RESOLUTION AWARDDING CONTRACT TO LTW, LLC FOR THE PURCHASE AND INSTALLATION OF SECURITY CAMERAS AT THE HOLLOWBROOK COMMUNITY CENTER PURSUANT TO THE NASPO VALUEPOINT COOPERATIVE PURCHASING CONTRACT IN THE AMOUNT OF \$65,020.36

President Wollert said that this will enhance security at Hollowbrook.

Mr. Schroth moved the Resolution, seconded by Mr. Baxter. There were no questions or comments from Council or the Public. The Council President asked for a roll call.

ROLL CALL

Mr. Baxter	YES
Mr. Schroth	YES
Ms. Keyes-Maloney	YES
Ms. Steward	YES
President Wollert	YES

6. The Clerk read (Resolution #18R-80) A RESOLUTION AWARDDING CONTRACT TO SHI INTERNATIONAL CORPORATON FOR A HEWLETT PACKARD ENTERPRISE SERVER AND RELATED EQUIPMENT TO STATE CONTRACT NO. 89851/M00003 IN THE AMOUNT OF \$8,045.52

The Council President said that this will assist with the security efforts at Hollowbrook.

Ms. Keyes-Maloney moved the Resolution, seconded by Mr. Baxter. There were no questions or comments from Council or the Public. President Wollert asked for a roll call.

ROLL CALL

Mr. Baxter	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	YES
Ms. Steward	YES
President Wollert	YES

7. The Clerk read (Resolution #18R-81) A RESOLUTION SUPPORTING NEW JERSEY'S PARTICIPATION IN RGGI

President Wollert said that this shows Council's support for the State's new participation in the RGGI project.

Ms. Keyes-Maloney moved the Resolution, seconded by Mr. Baxter. There were no questions or comments from Council or the Public. President Wollert called for a roll call.

ROLL CALL

Mr. Baxter	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	YES
Ms. Steward	YES
President Wollert	YES

8. The Clerk read (Resolution #18R-82) A RESOLUTION ENSURING EWING TOWNSHIP IS A FAIR & WELCOMING COMMUNITY REGARDLESS OF CITIZENSHIP STATUS

President Wollert said that this is an effort to show that the Town is within the boundaries of the law; welcoming all people.

Mr. Baxter moved the Resolution, seconded by Ms. Keyes-Maloney. Councilman Baxter commented that the title says it all. There were no additional questions or comments from Council. There were no questions or comments from the Public. President Wollert asked for a roll call.

ROLL CALL

Ms. Keyes-Maloney	YES
Mr. Baxter	YES
Mr. Schroth	YES
Ms. Steward	YES
President Wollert	YES

9. The Clerk read (Resolution #18R-83) A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE FOR ARISTA DEVELOPMENT – WALGREENS, 1801 NORTH OLDEN AVENUE (BLOCK 118, LOTS 45 & 48) – EWING ENGINEERS REMINGTON, VERNICK & ARANGO RV&A #1102-I-073

President Wollert stated that this is a standard performance bond release for a business that is now operating in the Town.

Mr. Baxter moved the Resolution, seconded by Ms. Keyes-Maloney. There were no questions or comments from Council or the Public. President Wollert asked for a roll call.

ROLL CALL

Ms. Keyes-Maloney	YES
Mr. Baxter	YES
Mr. Schroth	YES
Ms. Steward	YES
President Wollert	YES

The above referenced New Business Resolutions are available in the Clerk's Office in the 2018 Resolution Book Number One.

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business President Wollert called for a motion to adjourn. Mr. Baxter so moved seconded by Mr. Schroth. It was agreed by unanimous voice vote. The meeting was adjourned at 9:30 p.m.

Kathleen Wollert, President

Kim J. Macellaro, Municipal Clerk